



# TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

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## Part IV—Section 2

### Tamil Nadu Acts and Ordinances

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th December 2022 and is hereby published for general information:—

**ACT No. 45 OF 2022.**

***An Act to amend the Tamil Nadu Business Facilitation Act, 2018.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-third Year of the Republic of India as follows:—

Short title and  
commence-  
ment.

1. (1) This Act may be called the Tamil Nadu Business Facilitation (Amendment) Act, 2022.

(2) It shall come into force at once.

Amendment of  
section 2.

2. In section 2 of the Tamil Nadu Business Facilitation Act, 2018 (hereinafter referred to as the principal Act),— Tamil Nadu Act  
7 of 2018.

(1) clause (a) shall be re-lettered as clause (aa) and before clause (aa) as so re-lettered, the following clause shall be inserted, namely:—

“(a) “acknowledgment certificate” means a certificate issued by the Nodal Agency under clause (a) of sub-section (2) of section 11A;”;

(2) for clause (l), the following clause shall be substituted, namely:—

“(l) “Guidance” means the society formed by the Government and registered under the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975) to facilitate setting up of enterprises in the State;”;

(3) after clause (r), the following clause shall be inserted, namely:—

“(rr) “notified enterprise” means any enterprise or a class or category of enterprise, as may be notified by the Government, from time to time.”.

Amendment of  
section 3.

3. In section 3 of the principal Act, in sub-section (1), for the expression “the Guidance Bureau”, the expression “the Guidance” shall be substituted.

Amendment of  
section 4.

4. In section 4 of the principal Act, in sub-section (1), in item (i), the following expression shall be added at the end, namely:—

“and issue acknowledgment certificate under clause (a) of sub-section (2) of section 11A;”.

Amendment of  
section 5.

5. In section 5 of the principal Act, in sub-section (1), after the expression “the application for clearances”, the expression “or issue of acknowledgment certificate” shall be inserted.

Amendment of  
section 9.

6. In section 9 of the principal Act, in sub-section (1), for the expression “either in physical or electronic format”, the expression “in electronic format” shall be substituted.

Insertion of new  
section 11A.

7. After section 11 of the principal Act, the following section shall be inserted, namely:—

**“11A. Acknowledgment Certificate.—** (1) Any notified enterprise, which intends to start a new activity or expand its activities, may submit a Combined Application Form together with self-certification and such fee as may be prescribed through the single window portal.

(2) (a) On receipt of a Combined Application Form from a notified enterprise under sub-section (1), the Nodal Agency shall issue an acknowledgment certificate to the applicant in such Form and within such time limit as may be prescribed;

(b) An acknowledgment certificate issued under clause (a), shall, for all purposes, have effect as if it is a clearance as defined in clause (c) of section 2, for such of the clearances as may be notified by the Government, from time to time, for a period of three years from the date of its issue. Before expiry of the three year period, such enterprise shall obtain the clearances from the Competent Authority concerned;

(c) In the event of any violation of self-certification, the acknowledgment certificate shall be cancelled by the Nodal Agency:

Provided that no such cancellation shall be made unless the applicant is given a reasonable opportunity of being heard.”.

8. In section 15 of the principal Act, in sub-section (1), for the expression “the Executive Vice-Chairperson, Guidance Bureau as the Chairman, Company Secretary, Guidance Bureau as the Member Convener”, the expression “the Managing Director and Chief Executive Officer, Guidance as the Chairman, Executive Director, Guidance as the Member Convener” shall be substituted.

Amendment of  
section 15.

(By Order of the Governor)

C. GOPI RAVIKUMAR,  
*Secretary to Government (Legislation),*  
*Law Department.*



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th December 2022 and is hereby published for general information:—

**ACT No. 46 OF 2022.**

***An Act further to amend the Tamil Nadu Transparency in Tenders Act, 1998.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Transparency in Tenders (Amendment) Act, 2022. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu  
Act 43 of  
1998.

2. In section 2 of the Tamil Nadu Transparency in Tenders Act, 1998 (hereinafter referred to as the principle Act), Amendment of section 2.

(1) for clause (aa), the following clause shall be substituted, namely:—

“(aa) “domestic enterprise” means any enterprise located in the State, which manufactures or produces goods or provides or renders services within the State and which fulfills the criteria to qualify as a micro or small enterprise as may be notified by the Central Government under clause (1) of section 7 of the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act 27 of 2006).”;

(2) after clause (aa) as so substituted, the following clause shall be inserted, namely:—

“(aaa) “domestic enterprise owned by Scheduled Castes or Scheduled Tribes” means—

(i) any domestic enterprise located in the State, which is owned by any person belonging to a Scheduled Caste or a Scheduled Tribe; or

(ii) any domestic enterprise, which is a firm or limited liability partnership, having its registered office and place of business in the State, where not less than three-fourths of the partners belong to the Scheduled Castes or Scheduled Tribes; or

(iii) any domestic enterprise, which is a company having its registered office and place of business in the State where,—

(1) more than fifty per cent. of the ordinary shareholdings pertain to persons belonging to the Scheduled Castes or Scheduled Tribes; and

(2) the control of the company, as defined in section 2 (27) of the Companies Act, 2013 (Central Act 18 of 2013) vests with persons belonging to the Scheduled Castes or Scheduled Tribes.”;

(3) clause (ee) shall be relettered as clause (eee) and before clause (eee) as so relettered, the following clause shall be inserted, namely:—

“(ee) “Scheduled Castes” and “Scheduled Tribes” shall have the meanings assigned to them respectively under clauses (24) and (25) of Article 366 of the Constitution.”;

(4) after clause (eee), the following clauses shall be inserted, namely:—

“(eeee) “State” means the State of Tamil Nadu.”.

3. In section 10 of the principal Act, in sub-section (2), after the third proviso, the following proviso shall be added, namely:— Amendment of section 10

"Provided also that the Tender Accepting Authority shall accept the tender of the domestic enterprises owned by Scheduled Castes or Scheduled Tribes, not being the lowest tender, upon satisfaction of such conditions as may be prescribed, in respect of goods manufactured or produced and services provided or rendered by them, to the extent of five per cent. of the total requirement in that procurement, if such enterprise is willing to match the price of the lowest tender."

(By Order of the Governor)

C. GOPI RAVIKUMAR,  
*Secretary to Government (Legislation),*  
*Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th December 2022 and is hereby published for general information:—

**ACT No. 47 OF 2022.**

***An Act further to amend the Tamil Nadu Co-operative Societies Act, 1983.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Fifth Amendment) Act, 2022. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu  
Act 30 of  
1983.

2. In section 34 of the Tamil Nadu Co-operative Societies Act, 1983, in sub-section (1), in clause (c), sub-clause (ii) shall be renumbered as sub-clause (iii) and before sub-clause (iii) as so renumbered, the following sub-clause and proviso shall be inserted, namely:— Amendment to section 34.

“(ii) is employed in any co-operative society or is a Government servant engaged in the administration or audit of Co-operative societies:

Provided that the disqualification in sub-clause (ii) shall not apply to a person from being elected or nominated as a member of a board of any registered society composed exclusively of such employees of the co-operative society or of such Government servants; or”.

(By Order of the Governor)

C. GOPI RAVIKUMAR,  
Secretary to Government (Legislation),  
Law Department.





The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th December 2022 and is hereby published for general information:—

**ACT No. 48 OF 2022.**

***An Act further to amend the Tamil Nadu Prohibition Act, 1937.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-third Year of the Republic of India as follows:--

1. (1) This Act may be called the Tamil Nadu Prohibition (Amendment) Act, 2022. Short title and commencement.

(2) It shall be deemed to have come into force on the 5th day of September 2022.

Tamil Nadu Act X of 1937. 2. In section 18-BB of the Tamil Nadu Prohibition Act, 1937 (hereinafter referred to as the principal Act), for the expression "rupees four hundred and fifty", the expression "rupees one thousand" shall be substituted. Amendment of section 18-BB.

Tamil Nadu Ordinance 3 of 2022. 3. (1) The Tamil Nadu Prohibition (Amendment) Ordinance, 2022 is hereby repealed. Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By Order of the Governor)

C. GOPI RAVIKUMAR,  
Secretary to Government (Legislation),  
Law Department.